

Appraiser Certification & Licensure Board

Quarterly Board Meeting - Summary Minutes

January 11, 2010

ACLB Office, 3000 Market Street NE, Suite 541, Salem, Oregon

BOARD MEMBERS IN ATTENDANCE

Craig Zell, Chair
Phil Johnson
Daneene Fry
Rick Herman
Brad Armbrust
Jill Whitlock
John Larsen, Vice Chair

ACLB STAFF IN ATTENDANCE

Bob Keith, Administrator
Karen Turnbow, Programs Manager
Warren Foote, Legal Counsel, DOJ
Cyndie Standley, Compliance Analyst

BOARD MEMBERS ABSENT

None

PUBLIC IN ATTENDANCE

Diane Forsberg
Michelle Kennison
Max Smith

I: CALL TO ORDER AND VERIFICATION OF QUORUM

Chairperson Zell called the meeting to order at 9:10 a.m. and verified that a quorum was present.

II: PUBLIC INPUT

Diane Forsberg, President of the Southwest chapter of NAIFA: Commented that appraisers would like to see an ACLB newsletters published more frequently. Forsberg urged that the next chairperson elected to the Board be an appraiser member.

III: ACTION ITEMS

Administrative Rules Advisory Committee (Zell): Zell proposed that the Board have a standing administrative rules advisory committee that reviews proposed rule changes prior to filing of a rulemaking notice. Zell asked for volunteers to serve on the committee. Board members Johnson and Fry, and staff member Turnbow will serve on the advisory committee. Keith suggested that there also be members from the community to provide input.

Adoption of October 21, 2009 quarterly Board meeting minutes:

MOTION #1

Johnson moved and Whitlock seconded that:

The Board approve the October 21, 2009 quarterly board meeting minutes as drafted.

Motion passed unanimously.

Zell inquired as to whether Keith had prepared a “white paper” for legislative use. Keith stated that he has not yet prepared the paper because of time obligations in dealing with Appraisal Management regulation. Keith sought clarification from the Board regarding whether the paper should focus specifically on the Board or semi-independent agencies in general.

IV: NEW BUSINESS

Authorization of Temporary Rule to Repeal Rules Relating to No Longer Issuing New License Credentials (Zell/Keith): Keith requested that the Board authorize staff to file temporary rule changes repealing references to issuance of new licenses since the Board no longer accepts applications for State Licensed Appraiser.

MOTION #2

Fry moved and Johnson seconded that:

The Board approve issuance of temporary rules removing all references regarding acceptance of new applications for State Licensed Appraiser pending a rules hearing and permanent adoption.

Motion passed unanimously.

Discussion on Amending Reciprocal Agreements to Reflect No Longer Issuing New License Credentials (Zell): The Board could amend all existing reciprocal agreements to remove the option for Oregon to issue new State Licensed Appraiser licenses. The reciprocal state may still accept Oregon state licensed appraisers for reciprocal licensing in their state.

Alternatively, the Board could repeal all reciprocal agreements and require out-of-state applicants to apply under the Out-of-State Credential Holder application process. The Board came to a consensus that the ACLB should amend current reciprocal agreements rescinding Oregon accepting new reciprocal applications for State Licensed Appraiser.

V: OLD BUSINESS

Appraisal Management Company Regulation (Zell/Keith):

A bill has been introduced into the legislature regulating appraisal management companies, requiring them to register with the Board. The AMC coalition suggested resurrecting the old SB820 from the last legislative session. The coalition reviewed and made some amendments to the old SB820 and forwarded it on to representative Holvey who used that language to introduce LC183, which is now HB3624. Similar bills have been introduced and/or passed in other states. Discussion. Zell requested Board members to carefully reviewed the proposed legislation and provide comments on its impact, the Boards ability to enforce, and any proposed amendments. A Board task force consisting of Larsen, Armbrust and Whitlock, will hold a meeting on Friday, January 15, 2010, to meet with interested and affected parties to gather information and obtain comments and feedback regarding this proposed legislation.

Update on Secretary of State Financial Audit (Keith):

The auditors initially agreed to have the audit findings to the Board by December 15, 2009. They subsequently requested and received an extension from the Secretary of State to February 18, 2010.

Update on 2010 Report to Governor and Legislature (Zell):

Because the audit results have been delayed, Keith sent a letter to the Governor requesting an extension to file its 2010 Report to the Governor until it has received the audit results.

BREAK: 10:25 am to 10:37 am

Certificate of Deposit (Zell): An existing certificate of deposit at West Coast Bank in the amount of \$458,000 is due for renewal tomorrow. Zell sought Board authorization to renew the certificate with West Coast Bank.

MOTION #3

Larsen moved and Johnson seconded that:

The Board authorize renewal of the certificate of deposit.

Motion passed unanimously.

Keith received an e-mail from Shaun Jillions of the Association of Oregon Realtors, regarding regulation of AMCs. They have conveyed their support of the concept to Representative Holvey and look forward to working with the Board and its task force.

Enforcement Report (Keith/Standley):

Keith offered an enforcement report dated January 11, 2010.

Enforcement Oversight Report (Zell/Armbrust):

Armbrust and Zell made a number of recommendations to staff regarding oversight of enforcement. Armbrust summarized those recommendations. Discussion by the Board.

MOTION #4

Johnson moved and Larsen seconded that:

The Board adopt an annual review of the enforcement program to be performed by the Board Chair and one other board member, with a report back to the Board following the review. Additional reviews may be conducted if necessary.

Motion passed unanimously.

Board Ratification of Final Orders and Dismissals (Zell):

MOTION #5

Larsen moved and Fry seconded that:

The Board ratify the 16 cases that were closed with no action, closed with counsel and/or dismissed with counsel as referenced in the report.

Motion passed unanimously.

MOTION #6

Johnson moved and Fry seconded that:

The Board ratify the final orders in the following cases: 09-1678, 09-1685, 09-1717, 09-1673, 09-1614, 09-1657, 09-1674, 09-1665, 09-1662, 09-1681, 09-1748, 09-1690, 09-1705, 09-1693, 09-1752, 08-1642, 09-1702, and 09-1751.

Motion passed unanimously.

Licensing Report (Turnbow):

Turnbow provided a brief summary of the number of Oregon licensees.

Budget Report (Larsen/Standley):

Larsen gave a brief report regarding the status of the budget.

Legislative Report (Zell):

In the Board packet is a schedule of legislative meetings. Zell recommended that Board members keep apprised of the legislative schedule.

USPAP Exposure Draft (Zell):

Zell commented on one of the Q&As.

EXECUTIVE SESSION: 11:35 am to 11:53 am

Discussion regarding Board staff.

RETURN TO OPEN SESSION: 11:54 am

VI: ADJOURNMENT

MOTION #11

Larsen moved and Johnson seconded that:

The Board meeting be adjourned.

Motion passed unanimously.

Meeting adjourned at 11:55 am

Next scheduled meeting – April 12, 2010